

Docket No. 59131-A-PCT-US/JPW/AJM/AGIEW 1647
Box SeqIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Taka-Aki Sato

Serial No. : 10/018,169 Examiner: _____

Filed : December 7, 2001 Group Art Unit: _____

For : GENE ENCODING NADE, P75ntr-ASSOCIATED CELL DEATH

EXECUTOR AND USES THEREOF

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Date: February 21, 2006

Sir:

Transmitted herewith is an amendment to the above-identified application.

X Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

_____ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

	Number after Amendment	Highest Number Previously Paid For ¹	Number of Extra Claims Presented	RATE			FEE	
				Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	48 -	* 48 =	*** X	\$25	\$50	=	0	
Independent Claims	31 -	** 31 =	*** X	\$100	\$200	=	0	
Multiple Dependent Claim(s) Presented For First Time Yes <u>X</u> No				\$180	\$360	=	0	
				TOTAL ADDITIONAL FEE			\$ 0	

¹ The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

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Amendment Transmittal Letter
Page 2

The following are also enclosed:

- ☒ One additional copy of this Amendment Transmittal Letter
- ☒ Return Receipt Postcard
- ☐ An Information Disclosure Statement, including Form PTO-1449
(Copies of citations included: Yes _____ No _____
and a fee of \$ _____ included)
- ☐ A Petition for an Extension of Time, including a fee of
\$ _____ for a Petition for _____ Month(s) Extension of Time
- ☐ Other (identify): _____

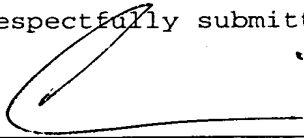
THE TOTAL FEE DUE IS \$ 0.

- ☐ A check in the amount of \$ _____ is enclosed.
- ☐ Please charge Deposit Account No. _____ in the amount of
\$ _____.

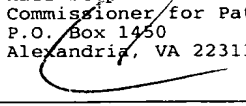
☒ The Commissioner is hereby authorized to charge any additional fees
required or credit any overpayment to Deposit Account No. 03-3125
as follows:

- ☒ Fees under 37 C.F.R. §1.16 for the presentation of extra claims
- ☐ Patent application processing fees under 37 C.F.R. §1.17

Respectfully submitted,



John P. White
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I hereby certify that this
correspondence is being deposited this
date with the U.S. Postal Service with
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.


Alan J. Morrison
Reg. No. 37,399
Date 2/21/06



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1185 Avenue of the Americas
New York, NY 10036
February 21, 2006

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

**AMENDMENT IN RESPONSE TO
JANUARY 18, 2006 NOTIFICATION OF DEFECTIVE RESPONSE**

This Amendment is submitted in response to a January 18, 2006 Notification of Defective Response issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A copy of the Notification is attached hereto as **Exhibit A**. A response to the January 18, 2006 Notification was due February 18, 2006. However, since February 18, 2006 falls on a Saturday, a response filed on the next business day, i.e. Tuesday February 21, 2006, is considered timely. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: